

10265. Adulteration and misbranding of ground cumin seed. U. S. * * * v. 50 * * * Pounds of * * * Ground Cumin Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14635. I. S. No. 13503-t. S. No. C-2872.)

On March 23, 1921, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 pounds of ground cumin seed, remaining unsold at Indianapolis, Ind., alleging that the article had been shipped by the Hanley & Kinsella Coffee & Spice Co., St. Louis, Mo., on or about January 26, 1921, and transported from the State of Missouri into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that sand and dirt had been mixed and packed therewith so as to injuriously affect the quality and strength of the said article, and for the further reason that sand and dirt had been substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Cumin."

On December 23, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10266. Misbranding of DuBois Pacific pills. U. S. * * * v. 10 * * * Boxes of * * * DuBois Pacific (Pacific) Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14665. I. S. No. 13505-t. S. No. C-2889.)

On March 23, 1921, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 boxes of DuBois Pacific (Pacific) pills, remaining in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped by William J. Baumgartner, Detroit, Mich., on or about November 19, 1920, and transported from the State of Michigan into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Circular) "* * * Reliable Female Tonic and Regulator. * * * for relieving general female disorders. Needless pain and suffering may be prevented by the use of DuBois Pills * * * a female tonic exerting helpful medicinal action over the female organs. * * * in the relieving of pain, due to leucorrhea, etc., and regulating the menses. * * * a tonic for the female organs * * * suppressed menstruation, painful menstruation, inflammation of the vagina caused by anemia, etc. * * * For leucorrhea * * * In cases of menstrual disturbances * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills contained aloes and iron sulphate, with a coating of sugar and calcium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements with respect to the curative and therapeutic effects of the said article were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the results claimed. Misbranding was alleged in substance for the further reason that the statement, to wit, "DuBois Pills which are purely vegetable," appearing in the said circular, was false and misleading in that the article was not purely a vegetable product.

On December 23, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

10267. Misbranding of H. and H. water. U. S. * * * v. 66 * * * Bottles of * * * H. and H. Water and 74 * * * Bottles of * * * H. and H. Water Natural. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 15409, 15422. I. S. Nos. 3095-t, 3096-t. S. Nos. C-3253, C-3265.)

On October 15, 1921, the United States attorney for the District of Indiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation